

REMARKS

Claims 4-7, 10, and 12 are all the claims pending in this application. By this amendment, claims 1, 8, 9, 11, and 13 have been canceled. Claim 12 has been rewritten in independent form including all of the recitations of canceled claim 11.

Claims 4, 10, and 12 are independent claims.

Claim Rejection Under 35 U.S.C. § 112

Claims 6 and 7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because in claim 6, line 2, “the cup” lacks antecedent basis. In response, Applicant has corrected the dependency of claim 6.

Claim Rejection Under 35 U.S.C. § 102

Claims 1, 4-7 and 9-13 are newly rejected under 35 U.S.C. § 102(e) as being anticipated by Lasserre et al. (US 6,722,532).

Claim 4

Applicant respectfully traverses the rejection of independent claim 4 at least because Lasserre does not disclose all of the claim’s recitations. For example, Lasserre does not disclose the claimed fluid dispenser including blocking means for blocking the dispenser units in the receiver means.

In the Office Action dated February 11, 2008, the Examiner asserted that Lasserre’s housing corresponds to the recited “blocking means.”¹ However, during the telephone interview on April 29, 2008, the Examiner asserted that Lasserre’s closure elements 11 correspond to the

¹ See Office Action at page 3, lines 7-10.

recited “blocking means” of claim 4. As shown in FIGS. 1 and 11, Lasserre’s closure elements 11 snap into place within the housing 5. It appears to be the Examiner’s position that the closure elements 11 “block” the dispenser unit because the closure elements are provided above the fluid conducting member 10, and hoods 49 of the fluid conducting member 10 are placed on the valve stems 15 of the valve.²

However, the Examiner is misapprehending the blocking feature of the recited blocking means. The recited “locking means” provides blocking by preventing the dispenser units from being removed from the receiving means.

In contrast, the closure elements 11 of Lasserre are not capable of preventing the dispenser containers 3, 4 from being removed from the receiver tubes 16. Instead, the closure elements 11 are merely inserted into the housing 5 from above and are not designed to secure the containers 3, 4 in the receiver tubes 16.

Thus, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 4.

Claims 5-7

Applicant respectfully requests the Examiner to withdraw the rejection of dependent claims 5-7 at least because of their dependency from claim 4.

Claim 10

Applicant respectfully traverses the rejection of independent claim 10 at least because Lasserre does not disclose all of the claim’s recitations. For example, Lasserre does not disclose the claimed fluid dispenser in which the dispenser units are engaged in the receiver means via a

² See Lasserre at 7:1-5.

top of the receiver means, such that *the reservoirs penetrate firstly into the shell via the receiver means*. That is, as the recited reservoirs are inserted into the shell such that the reservoirs pass the receiver means first (e.g., before the dispenser member or the fastener member).

In contrast, in Lasserre, the containers 3, 4, are inserted into the housing 5 from *below*. Thus, the valves 15 at a top of *the containers 3, 4 passes into the receiver tubes 16 first* (e.g., before the top end of the containers 3, 4).

Thus, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 10.

Claim 12

Applicant has added all of the recitations of independent claim 11 to dependent claim 12.

Applicant respectfully traverses the rejection of independent claim 12 at least because Lasserre does not disclose all of the claim's recitations. For example, Lasserre does not disclose the claimed fluid dispenser including a dispenser head that is *displaceable by bearing axially in such a manner as to press the bottom face of the flange* against the bearing surfaces. That is, when the recited dispenser head is displaced, the bottom face of the fastener's flange is pressed against the bearing surfaces of the receiver means.

In contrast, in Lasserre, when the actuator 6 is actuated to move the fluid conducting member 10 downward to actuate the valve stem 15, the fluid conducting member 10 bears against notches 22 formed in the top portions of the receiver tubes 16 (asserted as corresponding to the recited receiver means).³ As such, the fluid conducting member 10 of Lasserre does not press the collar 16' (asserted as corresponding to the recited fastener member).

³ See Lasserre at 6:60-67.

Thus, Applicant respectfully requests the Examiner to withdraw the rejection of independent claim 12.

Claim Rejection Under 35 U.S.C. § 103

Claim 8 is newly rejected under 35 U.S.C. § 103(a) as being unpatentable over Lasserre et al. (US 6,722,532) in view of Harman (US 6,308,863).

The cancellation of claim 8 renders this rejection moot.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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